

FEE TRANSMITTAL
for FY 2005

Effective: 10/01/2004. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT	\$500.00
--------------------------------	-----------------

Complete If Known

Application Number	09/531.016
--------------------	------------

Filing Date	3/20/2000
-------------	-----------

First Named Inventor	Edlund et al.
----------------------	---------------

Examiner Name Thanh T. Vu

Art Unit	2174
----------	------

Attorney Docket No.	AM9-99-0216
---------------------	-------------

METHOD OF PAYMENT

☐ Check ☐ Credit Card ☐ Money Order ☐ Other☒ Deposit Account:

Deposit
Account
Number

09-0441

Dopazil
Account
Name

IBM CORPORATION

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments☒ Charge any additional fee(s) or any underpayment of fee(s)

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	790	2001	395	Utility filing fee	
1002	350	2002	175	Design filing fee	
1003	550	2003	275	Plant filing fee	
1004	790	2004	395	Release filing fee	
1005	160	2005	80	Provisional filing fee	

SUBTOTAL (1)	\$ 0
---------------------	-------------

2 EXTRA CLAIM FEES FOR UTILITY AND REISSUE

		Extra Claims		7.5% below	Fee Paid
Total Claims		-20% =	X		=
Independent Claims		-3% =	X		=
Multiple Dependent					=

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
1202	18	2202	9	Claims in excess of 20
1201	60	2201	44	Independent claims in excess of 3
1203	300	2203	150	Multiple dependent claim, if not paid
1204	88	2204	44	** Reissue independent claims over original patent
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2)	\$ 0
--------------	------

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge - 1ste filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for <i>ex parte</i> reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	430	2252	215	Extension for reply within second month	
1253	980	2253	490	Extension for reply within third month	
1254	1,530	2254	765	Extension for reply within fourth month	
1255	2,080	2255	1,040	Extension for reply within fifth month	
1401	340	1401	170	Notice of Appeal	
1402	500	2402	250	Filing a brief in support of an appeal	500
1403	300	2403	150	Request for oral hearing	
1451	1,510	1452	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,330	2453	665	Petition to revive - unintentional	
1501	1,370	2501	685	Utility issue fee (or reissue)	
1502	450	2502	245	Design issue fee	
1503	680	2503	330	Plant issue fee	
1480	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1609	790	2809	395	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	790	2810	395	For each additional invention to be examined (37 CFR 1.129(b))	
1801	790	2801	395	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other tea (specify):

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)	\$500
--------------	-------

*or number previously paid, if greater; For Reissues, see above

Name (Print/Type)	Jaclyn A. Schade	Registration No. (Attorney/Agent)	50569	Telephone	703-838-7683
Signature	<i>Jaclyn A. Schade</i>			Date	June 21, 2005

**LACASSE & ASSOCIATES***PROFESSIONAL PATENT SERVICES*

1725 Duke Street, Suite 650

Alexandria, Virginia 22314

Phone (703) 838-7683/Facsimile (703) 838-7684

E-Mail: patserv@lacasse-patents.com

RECEIVED
CENTRAL FAX CENTER**JUN 21 2005****CONFIDENTIAL**
FACSIMILE TRANSMITTAL SHEET**DATE SENT:** June 21, 2005**DELIVER TO:****Name:** Examiner Thanh T. Vu**Company:** USPTO / GAU 2174**Fax No:** 703-872-9306**FROM:** Jaclyn A. Schade**YOUR FILE:** 09/531,016

THERE WILL BE A TOTAL OF **10** PAGE(S) INCLUDING THIS COVER SHEET.
OUR FACSIMILE MACHINE COMMUNICATES WITH ALL GROUP III, II AND FM6
MACHINES.

NOTICE: The documents transmitted by this facsimile are intended for the use of the individual or the entity to which it is addressed and may contain information that is privileged, confidential, and exempt from disclosure under applicable law. If the reader of the message is not the intended recipient, or the employee, or agent responsible for delivering this document to the intended recipient, you are hereby notified that any dissemination, distribution, or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by telephone and return the original facsimile to us at the above address via the Postal Service.

- Transmittal Form
- Fee Transmittal (in duplicate)
- Reply Brief

AMS-99-0216
09/531,016

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Edlund et al.

Serial No.: 09/531,016

Group Art Unit: 2174

RECEIVED
CENTRAL FAX CENTER

JUN 21 2005

Filed: 3/20/2000

Examiner: Thanh T. Vu

Title: *System and Method for Scheduled Events to Subscribe to Live Information Topics*

REPLY BRIEF

Attn: Board of Patent Appeals and Interferences
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Examiner's Answer dated 4/21/2005, Applicants submit the following reply.

06/23/2005 EFLORES 00000141 090441 09531016

01 FC:1402 500.00 DA

AM9-99-0216
09/531,016REMARKS

This Reply Brief is in response to the Examiner's Answer dated April 21, 2005. Reconsideration of this application is respectfully requested in view of the foregoing remarks. In addition, all of the arguments in the appeal brief of December 15, 2004, and prior responses should also be considered in support of the claimed elements provided in the present invention.

STATUS OF CLAIMS

Claims 22, 24, 26, 27 and 29-43 are pending.

Claims 22, 24, 26, 27 and 29-43 stand rejected under 35 U.S.C. § 102(c) as being anticipated by Barnett et al. (USP 6,369,840).

RESPONSE TO EXAMINER'S ANSWER

With respect to claim 22, the examiner, on page 9 of the Examiner's Answer of 4/21/2005, incorrectly identifies applicants' presented argument. As noted on page 7 of the appeal brief of 12/15/2004, applicants argue with respect to claim 22 that Barnett "fails to provide the element of identifying one or more topic channels which are associated with said topic names." Applicants note that Barnett does not describe "identifying channels" as provided in the claims, nor provide a "link to topic channels." The arguments presented in the appeal brief of 12/15/2004 for the above identified elements show that the examiner has failed to provide each and every element in the claim in a single reference as required by 35 U.S.C. 102(e). Also, the examiner states in the Examiner's Answer that the statements "maps the entry to services" and "providing up-to-date information" are not shown in the claims. However, a closer reading of claim 22 provides the method steps of "mapping said event to a set of topic names for said services" and "receiving frequently updated service messages." Applicants are

AM9-99-0216
09/531,016

unsure how the examiner can state that mapping and providing updated information is not provided in the claim.

Furthermore, on applicants wish to emphasize that it is the duty of the examiner to specifically point out limitations with respect to each and every claim such that the applicants' are aware of how the examiner is applying a reference in a rejection. On page 10 of the Examiner's Answer, the examiner introduces several statements, including elements and line numbers in Barnett, that appear to have not been provided in any prior office action. The following statements appear to have been newly introduced in the Examiner's Answer with respect to claim 22:

- "The calendar event is associated with topic subscriber (content partners or data sources, see col. 10, lines 15-17 and lines 25-28))."
- "the event 601 is being mapped to a set of topic names for said services, see col. 11, lines 8-27)
- "one or more topic channels are identified,...external data sources 150"; and
- "new movies releases event (601 of fig. 6) is linked to data from external sources (topic channels)."

The examiner appears to introduce the new statement on page 10 of the Examiner's Answer that column 10, lines 15-17 and lines 25-28 of Barnett "reads on the claim language of receiving a calendar entry for an event associated with a topic subscriber" in that "the calendar event is associated with topic subscriber (content partners or data sources)." However, closer reading of Barnett states that the above mentioned line numbers refer to figure 15. Figure 15 of Barnett shows the collection of data from data sources (element 1501) and the loading of data to a

AM9-99-0216
09/531,016

database (element 114). Conspicuously absent figure 15 and column 10, lines 15-17 and 25-28 of Barnett is any mention or suggestion of a topic subscriber associated with a calendar entry.

The examiner appears to introduce for the first time the statement on page 10 that "the event 601 is being mapped to a set of topic names for said services, see col. 11, lines 8-27." The examiner states that event 601 is related to the "mapping" of claim 22. However, a closer reading of column 11, lines 8-27 shows a description of screen shots (elements 323 and 324) that may be displayed when a user selects a particular event category. The user in Barnett may then click through the screens to view other details. Barnett does not, however, suggest or describe "mapping an event to a set of topic names for services" as described in the present invention.

Again, with respect to figure 15, the examiner appears to have newly stated on page 10 of the Examiner's Answer that "topic channels are identified" and "external data sources 150" with respect to claim 22. Applicants have assumed the examiner has incorrectly identified element 1501. The following argument is presented with respect to figure 15 and element 1501. The identifying of one or more topic channels associated topic names is not provided in Barnett. As previously provided on page 7 of Applicants' Appeal Brief dated 12/15/2004, a closer reading of the citations by the examiner discloses that Barnett merely discusses the collection of event data. The identifying of channel(s) for information related to a calendar entry for an event is not provided in Barnett.

On page 11 of the Examiner's Answers the examiner has newly introduced the statement that "new movies releases event (601 of fig. 6) is linked to data from external sources (topic channels)." However, the claim element requires that "incorporating, within said event, a link to said one or more topic channels of said event." Again, topic channels are not identified in Barnett (see above paragraph), and therefore can not be incorporated as in the present invention.

AM9-99-0216
09/531,016

Barnett does not disclose the linking of calendar events and topic channels as described in the present invention.

With respect to claims 24 and 26, the examiner has not addressed the elements in each dependent claim 24 and 26. Applicants contend that the statement "create an entry" is provided purely as an explanatory statement and is not part of the claim. Applicants note that independent claim 22 states "receiving a calendar entry." Applicants further note that the applicants' argument is not in the creation of an entry, but, rather, the applicants argue that "Barnett fails to discuss determining related categories, characteristics, or topic channels" as provided on page 8 of the Appeal Brief. Also, the examiner states on page 11 of the Examiner's Answer that the feature—"provides links that are related to the event"—upon which Applicants rely are not recited in the rejected claims. However, claims 24 and 26 are dependent on claim 22. Claim 22 provides the element of "incorporating, within said event, a link to said one or more topic channels of said event." Applicants contend that providing a link to an event is provided in the claims.

On pages 11-12 of the Examiner's Answer the examiner again presents new statements with respect to the prior rejections for claim 27. The examiner appears to provide the following for the first time:

- "The examiner does not agree because Barret (sic) teaches determining if a link to a related service already exists (in Barrett (sic), event data are provided as links and such links data are being read from external sources or channels stores in event cache 101)."

The examiner also adds:

AM9-99-0216
09/531,016

- “(in Barrett (sic), if said event data or links are not in cache, the application server 106 initiates a read from event database 114).”

Again, it appears that the examiner has presented new explanations, elements, and line numbers that were not previously presented in any of the office actions. The examiner incorrectly states column 10, lines 54-67 of Barnett “teaches determining if a link to a related service already exists.” The examiner also mistakenly states “if said event data or links are not in cache, the application server 106 initiates a read from event database 114.” Rather, a closer reading of column 10, lines 54-67 of Barnett discusses a cache generation operation to generate a file containing selected information. Data in Barnett is transferred into a file to be accessed, and then the data in the file is written to a server. There is no mention in Barnett in column 10, lines 54-67 or column 11, lines 3-6 of determining, creating, and opening a link. Barnett fails to disclose or suggest creating and opening a link if said link does not exist.

Claims 24, 26, and 27 are all dependent on claim 22. Since Barnett does not provide or suggest each and every element of claim 22, the rejection of claims 24, 26, and 27 is improper.

No response was provided by the examiner in the Examiner's Answer dated 4/21/2005 with respect to claims 34-42. Applicants rely on the arguments provided in the appeal brief dated 12/15/2004 and in the prior responses.

As noted by the examiner, the remaining claims (claims 29-32, 33, and 43) should be considered in light of the arguments presented above, as well as those arguments provided in the appeal brief and prior responses.

AM9-99-0216
09/531,016SUMMARY

None of the references, cited or applied, provide for the specific claimed details of applicants' presently claimed invention, nor renders them obvious. It is believed that this case is in condition for allowance and reconsideration thereof and early issuance is respectfully requested.

As this Reply Brief has been timely filed within the set period of response, no petition for extension of time or associated fee is required. However, the Commissioner is hereby authorized to charge any deficiencies in the fees provided to Deposit Account No. 09-0441.

Respectfully submitted,



Jaclyn A. Schade
Registration No. 50,569

1725 Duke Street
Suite 650
Alexandria, Virginia 22314
(703) 838-7683
June 21, 2005